

## **Land Bank Board of Trustees Meeting**

**August 04, 2015**

**City Commission Room, 700 N. Jefferson, Junction City KS 66441**

**Mick McCallister**

**Pat Landes**

**Jim Sands**

**Michael Ryan**

**Phyllis Fitzgerald**

**1. 8:30 P.M. - CALL TO ORDER:**

**2. NEW BUSINESS:**

- [a.](#) Consideration of Land Bank Minutes for July 7, 2015.
- [b.](#) Consideration of a Land Bank Quit Claim Deed on Lot 55, Lot 3, Deer Creek Addition Unit No. 2, that conveys the Junction City Land Bank interests in this single lot to Mr. Bruce V. Johnson.
- [c.](#) Consideration of authorization to proceed to announce the sale of the first 25 lots of the Land Bank, and the concurrence with the proposed schedule.

**3. ADJOURNMENT:**

## **Land Bank Board of Trustees Meeting**

### **Backup material for agenda item:**

- a. Consideration of Land Bank Minutes for July 7, 2015.

## **JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES**

July 7, 2015

6:00 p.m.

### **CALL TO ORDER**

A meeting of the Junction City Land Bank Board of Trustees was held on Tuesday, July 7, 2015 with Chairman Mick McCallister presiding.

The following members of the Land Bank were present: Phyllis Fitzgerald, Mick McCallister, Michael Ryan and Jim Sands. Staff present was: Allen Dinkel, Cheryl Beatty, Catherine Logan, and Tyler Ficken.

### **NEW BUSINESS**

Consideration of Land Bank Board of Trustee Minutes for June 2, 2015 & June 16, 2015. Trustee Sands moved, seconded by Trustee Ryan to approve the minutes as presented. Ayes: Fitzgerald, McCallister, Ryan, Sands. Nays: none. Motion carried.

Discussion of Land Bank properties. Commissioner Ryan moved, seconded by Commissioner Sands to: (1) solicit bids due by July 30, 2015, (2) require a \$5,000 minimum per lot for bids, (3) Review and award of bids at the August 4, 2015 Land Bank meeting, (4) request reamortization, (5) require a 10% down non-refundable deposit with bids, (6) direct City Attorney Logan to create a sample contract, (7) direct Planning & Zoning Director Yearout to create bid packets and request title insurance. Ayes: Fitzgerald, McCallister, Ryan, Sands. Nays: none. Motion carried.

### **ADJOURNMENT**

Trustee Ryan moved, seconded by Trustee Fitzgerald to adjourn at 6:54 p.m. Ayes: Fitzgerald, Landes, McCallister, Ryan. Nays: none. Motion carried.

APPROVED AND ACCEPTED THIS 4TH DAY OF AUGUST AS THE OFFICIAL COPY OF THE JUNCTION CITY LAND BANK BOARD OF TRUSTEES MINUTES FOR JULY 7, 2015.

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Tyler Ficken, Secretary

Mick McCallister, Chairman

## **Land Bank Board of Trustees Meeting**

### **Backup material for agenda item:**

- b. Consideration of a Land Bank Quit Claim Deed on Lot 55, Lot 3, Deer Creek Addition Unit No. 2, that conveys the Junction City Land Bank interests in this single lot to Mr. Bruce V. Johnson to resolve the conflict discussed below.

**City of Junction City**  
**Land Bank Board of Trustees**  
**Agenda Memo**

August 4, 2015

**From:** David L. Yearout, AICP, CFM, Director of Planning and Zoning

**To:** Land Bank Board of Trustees & Allen Dinkel, City Manager

**Subject:** Land Bank Quit Claim Deed

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**Issue:** Consideration of a Land Bank Quit Claim Deed on Lot 55, Lot 3, Deer Creek Addition Unit No. 2, that conveys the Junction City Land Bank interests in this single lot to Mr. Bruce V. Johnson to resolve the conflict discussed below.

**Explanation of Issue:** Staff was notified this morning by Junction City Abstract and Title that a lot in Deer Creek Addition Unit No. 2 (fronting on Ecord Drive) was purchased by Bruce V. Johnson at the Tax Sale in 2014. A Sheriff's Deed conveyed that lot (Lot 55, Block 3) to Mr. Johnson. Then when the Quit Claim Deed from Geary County to the Junction City Land Bank was submitted and filed on December 30, 2014, the same lot was conveyed to the Land Bank. This was an error made by Geary County.

To correct this issue, Junction City Abstract and Title has requested, and the City Attorney concurs, that a Land Bank Quit Claim Deed be approved that conveys the Junction City Land Bank interests in this single lot to Mr. Johnson so the conflict can be resolved. A Land Bank Quit Claim Deed has been prepared and is attached.

**Staff Recommendation:** Approve the Land Bank Quit Claim Deed as recommended.

**Suggested Motion:**

Commissioner \_\_\_\_\_ moved that the Chairman and Secretary be authorized to execute the Land Bank Quit Claim Deed for Lot 55, Block 3, Deer Creek Addition Unit No. 2 to Bruce V. Johnson and record said Deed with the Geary County Register of Deeds.

Commissioner \_\_\_\_\_ seconded the motion.

**Enclosures:**

Land Bank Quit Claim Deed

# LAND BANK QUIT CLAIM DEED

**THIS INDENTURE** is made this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the Land Bank Board of Trustees of the City of Junction City, Kansas, a municipal entity, as Grantor, and Bruce V. Johnson, of Junction City, Kansas, as Grantee.

**WITNESSETH:** That the said Grantor, in consideration of and the sum One (\$1.00) dollars and of valuable considerations to it paid or given by the said Grantee, the receipt of which is hereby acknowledged, does by these presents, **REMISE, RELEASE AND QUIT CLAIM** unto the said Grantee, its successors and assigns, any and all of the Grantor's interest in that property, situated in the County of Geary, State of Kansas, described on Exhibit A attached hereto and incorporated herein by reference.

**TO HAVE AND TO HOLD** said described property, together with all and singular the rights, privileges, appurtenances and immunities thereunto belonging or anywise appertaining unto the said Grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has executed this document the day and year first above written.

# GRANTOR

Land Bank Board of Trustees of the City of  
Junction City, Kansas

By: \_\_\_\_\_  
Mick McCallister, Chair

ATTEST:

Tyler Ficken, Secretary

STATE OF KANSAS )  
 ) ss.  
COUNTY OF GEARY )

On this \_\_\_\_ day of \_\_\_\_\_, 2015, before me, a Notary Public in and for said state, personally appeared Mick McCallister, who stated that he is the Chair of the Board of Trustees of the Land Bank of Junction City, Kansas, and Tyler Ficken, who stated that he is the Secretary

of the Board of Trustees of the Land Bank of Junction City, Kansas, known to me to be the person who executed the within instrument on behalf of said Land Bank Board of Trustees of the City of Junction City and acknowledged to me that he executed the same for the purposes therein stated.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal, the day and year last above written.

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Notary Public in and for said  
County and State

My Commission Expires:

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**Exhibit A**

**Land Bank Quit Claim Deed**

A tract of Land in the City of Junction City, Geary County, Kansas, described as follows:

**Lot 55, Block 3**

**DEER CREEK ADDITION UNIT NO. 2 TO THE CITY OF JUNCTION CITY, KANSAS**



## **Land Bank Board of Trustees Meeting**

### **Backup material for agenda item:**

- c. Consideration of authorization to proceed to announce the sale of the first 25 lots of the Land Bank, and the concurrence with the proposed schedule.

**City of Junction City**  
**Land Bank Board of Trustees**  
**Agenda Memo**

August 4, 2015

**From:** David L. Yearout, AICP, CFM, Director of Planning and Zoning

**To:** Land Bank Board of Trustees & Allen Dinkel, City Manager

**Subject:** Land Bank Lot Sale – Authorization and Approval of Schedule

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**Issue:** Authorization to proceed to announce the sale of the first 25 lots of the Land Bank, and the concurrence with the proposed schedule.

**Explanation of Issue:** Staff has been diligently working to prepare to put the first 25 lots of the Land Bank up for sale. The method proposed will be to advertise to accept sealed bids, with other provisions required such as the posting of 10% of the bid amount as a “refundable deposit”, and other provisions outlined in the attached documents.

Presuming the County has cleared the past taxes and has taken other actions to “clear” the title, the staff intends to move forward with the advertisements and other actions needed to get the information out to the public. We are asking for the Board of Trustees to concur we are ready to proceed, contingent upon the “details” discussed above.

Staff intends to place the advertisements and begin the process to disseminate the information to as wide an audience as is possible as early as Wednesday, August 5, 2015. Obviously we will need to confirm all the minor details are in place, including “clearing” the back tax issues, before we can go forward.

If we are able to go on August 5...or very shortly thereafter...we envision the date of final submittal of the sealed bids would be on Thursday, August 27, 2015. If that date works, the intent would be to have the results in front of the Board of Trustees at the regular meeting on September 1, 2015, for a decision on whether to accept the bid and move to prepare to close the sale. If we are able to meet that date, it may be possible to close as early as September 15, 2015; but no later than September 30, 2015.

If we are not able to meet the dates given above, we will adjust the schedule accordingly, but our desire is to move this forward on this timetable with the intent to get these properties into the hands of private parties that could start construction of new homes yet this year.

**Staff Recommendation:** Authorize the work to put the 25 Land Bank lots up for sale as proposed.

**Suggested Motion:**

Trustee \_\_\_\_\_ moved the staff proceed to put the 25 Land Bank lots up for sale as proposed.

Trustee \_\_\_\_\_ seconded the motion.

**Enclosures:**

List of Land Bank Lots